

DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT

Applicant's Statement of Judah J. Levine and Anneben Levine
3820 Reno Road, NW (Square 1959, Lot 33)

I. INTRODUCTION AND NATURE OF RELIEF SOUGHT.

This Statement is submitted on behalf of Judah and Anneben Levine (the “**Applicant**”), owners of the property located at 3820 Reno Road, NW (Square 1959, Lot 33) (the “**Property**”). The Property is improved with a three-story single-family dwelling (the “**Building**”) and is located in the R-1-B zone. The Applicant is proposing to construct an addition to the building (the “**Addition**”). The rear line of the proposed Addition will be within twenty-five feet (25 ft.) of the rear property line. It is a small extension of an existing nonconforming rear yard. Accordingly, the Addition requires special exception relief from the rear yard setback requirement of Section D-306.1. The Applicant is requesting Expedited Review pursuant to Section Y-401.

II. JURISDICTION OF THE BOARD.

The Board has jurisdiction to grant the special exception relief requested pursuant to Subtitle X - 901.2, D – 5201, and Y-401.

III. BACKGROUND.

A. Description of the Subject Property and Surrounding Area.

The Subject Property is located in the R-1-B zone district. It is a large interior lot measuring 21,357 square feet in land area. Abutting the Subject Property to the north at 3504 Springland Lane, NW, is a single-family dwelling. Abutting the Subject Property to the south at 3411 Rodman Street, NW and 3409 Rodman Street, NW, are single-family dwellings. Abutting the Subject Property to the west is 3506 Springland Lane, NW. Abutting the Subject Property to the east at 3810 Reno Road, NW and 3808 Reno Road, NW, are single-family dwellings. The area is made up of single-family dwellings on similarly sized lots.

B. Proposed Project.

The Applicant intends to construct an addition to the existing Building. Other than the rear yard, the Addition is conforming with respect to all other development standards of the R-1-B Zone. The current rear yard setback measures 20.39 feet. The proposed rear yard setback will be 18.8 feet. The Addition, in the area at which it encroaches on the rear yard setback, is limited to one story. The lot occupancy following the Addition will be 11.6%. The area of relief is extremely small – approximately 40 square feet, limited to one story, and not particularly close to any neighboring building.

IV. THE APPLICATION MEETS THE REQUIREMENTS FOR SPECIAL EXCEPTION RELIEF.

A. Overview.

Pursuant to Subtitle X § 901.2 of the Zoning Regulations, the Board is authorized to grant special exception relief where, in the judgment of the Board, the special exception will be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps, and will not tend to affect adversely the use of neighboring property, subject also, in this case, to the specific requirements for relief under D § 5201 of the Zoning Regulations.

In reviewing applications for a special exception under the Zoning Regulations, the Board's discretion is limited to determining whether the proposed exception satisfies the relevant zoning requirements. If the prerequisites are satisfied, the Board ordinarily must grant the application. See, e.g., *Nat'l Cathedral Neighborhood Ass'n. v. D.C. Board of Zoning Adjustment*, 753 A.2d 984, 986 (D.C. 2000).

B. General Special Exception Requirements of Subtitle X § 901.2.

1. Granting of the Special Exception will be in Harmony with the General Purpose and Intent of the Zoning Regulations and Zoning Maps.

The granting of the special exception will be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps. The Subject Property is located in the R-1-B zone; the R-1-B zone is "intended to provide for areas predominantly developed with detached houses on moderately sized lots." The Subject Property will remain a detached single-family dwelling. Accordingly, the proposed Addition and use will be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps.

2. The granting of the special exception will not tend to affect adversely, the Use of Neighboring Property in accordance with the Zoning Regulations and Zoning Maps.

The granting of the special exception will also not tend to adversely affect the use of neighboring properties. As stated in more detail below, the proposed Addition will have no impact on neighboring properties.

C. Specific Special Exception Requirements of Subtitle D § 5201.4.

5201.4: An application for special exception relief under this section shall demonstrate that the proposed addition, new principal building, or accessory structure shall not have a substantially adverse effect on the use or enjoyment of any abutting or adjacent dwelling or property, specifically:

(a) The light and air available to neighboring properties shall not be unduly affected;

The Addition, in the area of relief, is a minor extension of the existing Building, and is limited to one story. It is also located in an area, relative to the surrounding buildings, which make it obvious that there will be no adverse impact to the light and air available to neighboring properties.

(b) The privacy of use and enjoyment of neighboring properties shall not be unduly compromised;

For the same reasons noted in the above paragraph, the Addition will not unduly compromise the privacy of use and enjoyment of neighboring properties.

(c)The proposed addition or accessory structure, together with the original building, or the new principal building, as viewed from the street, alley, and other public way, shall not substantially visually intrude upon the character, scale, and pattern of houses along the street or alley frontage;

The proposed Addition will not be visible from the street. Accordingly, the Addition will not intrude upon the character, scale, and pattern of the houses along Springland Lane, NW, or Reno Road, NW.

V. CONCLUSION.

For the reasons stated above, this Application meets the requirements for special exception relief by the Board, and the Applicant respectfully requests that the Board grant the requested relief.

Respectfully submitted,

Martin P Sullivan

Martin Sullivan
Sullivan & Barros, LLP
Date: May 3, 2022